IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 84 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

LOK ADHIKAR SANGH

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 84 of 1990
MR GIRISH PATEL for Petitioner No. 1-2
Ms NANDINI JOSHI, AGP for Respondents

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 10/07/2001

ORAL JUDGEMENT

Pursuant to the direction dated 14.6.2001, affidavit dated 9.7.2001 has been filed by Mr JH Parmar, PSI, Kevadia Colony Police Station, Narmada District giving the following status of the three criminal cases which arose from the incident in question :-

(i) Shakil Shaukhat Ali of J.P. Company has been convicted for the offences punishable under Sections 279 and 339 of the IPC and Section 112/116 of the Motor Vehicles Act in Criminal Case No. 981 of 1989 by order dated 26.8.1993.

(ii) The eleven accused who were employees of J.P. Company are facing Criminal Case No. 929 of 1990 before the Court of the learned JMFC, Rajpipla.

(iii) Gajendra Chatu of Koti, Taluka Nandod has been acquitted in the case arising from Kevadia Police Station Crime Register No. 77 of 1989.

2. In view of the above, it is clear that the allegation that there was any police apathy or inaction cannot be said to be borne out.

3. Mr Patel, learned counsel for the petitioners, however, submits that since Criminal Case No. 929 of 1990 is still pending, the same may be directed to be disposed of as early as possible.

4. In view of the above, it is directed that the learned JMFC, Rajpipla shall hear and decide Criminal Case No. 929 of 1990 as expeditiously as possible and preferably within three months from the date of receipt of the writ of this Court or a certified copy of this order, whichever is earlier. Nothing further survives in this petition.

The petition is accordingly disposed of. Rule is discharged with no order as to costs.

(M.S. Shah, J.)
sundar/-